

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 James Theodore Sharkey,

Case No. 2:20-cv-00792-JAD-EJY

4 Plaintiff

**Order Adopting Report and
Recommendation and Dismissing Case**

5 v.

6 Nevada Orthopedic Spine Center, et al.,

[ECF Nos. 1, 2, 5]

7 Defendants

8 On May 27, 2020, the magistrate judge screened Plaintiff James Theodore Sharkey's
9 complaint, found that it fails to state a claim upon which relief may be granted, and
10 recommended that I dismiss this case with prejudice.¹ The deadline for objections to that
11 recommendation passed without objection or any request to extend the deadline to file one, and
12 "no review is required of a magistrate judge's report and recommendation unless objections are
13 filed."²

14 Accordingly, IT IS HEREBY ORDERED that the magistrate judge's report and
15 recommendation [ECF No. 5] is **ADOPTED** in full and **this case is dismissed with prejudice**
16 **because it is clear that the complaint's deficiencies could not be cured through amendment.**

17 IT IS FURTHER ORDERED that **all pending motions** [ECF Nos. 1, 2] are **DENIED** as
18 **moot**. The Clerk of Court is directed to ENTER JUDGMENT ACCORDINGLY and CLOSE
19 THIS CASE.

20 
21 U.S. District Judge Jennifer A. Dorsey
Dated: June 11, 2020

22 ¹ ECF No. 5.

23 ² *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474
U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).